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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,712	03/29/2005	Mansour A Aldajani	30435149USWO	2050
22462	7590	03/26/2007		EXAMINER
GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045				JEANGLAUDE, JEAN BRUNER
			ART UNIT	PAPER NUMBER
			2819	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/26/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/529,712	ALDAJANI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jean B. Jeanglaude	2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on amendment filed on 1-18-07.

2a) This action is FINAL.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-14 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

***Response To Amendments/Arguments***

Applicant's arguments filed on January 18, 2007 have been fully considered but they are not persuasive.

Regarding the applicant's argument on page 7, lines 8 – 10, that Yu's reference does not describe "an adapter that uses the input signal p(n) rather than the original input signal x(n) itself, the examiner respectfully disagrees. Yu et al. discloses in fig. 1 a system that describes an adapter that uses the input signal  $p(n) = u(n)$  as claimed by the applicant (see fig. 1 of Yu et al.).

For at least this reason the rejection is maintained as follows:

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

2. Claims 1 - 14 are rejected under 35 U.S.C. 102(b) as being anticipated by J. Yu et al. (Adaptive Quantisation For one bit sigma-delta modulation, IEEE Proceedings-G, Vol. 139, No. 1, Feb. 1992).

3. Regarding claim 1, J Yu et al. discloses an apparatus for adaptive modulation (fig. 4), comprising: a one-bit modulator for generating a binary output signal from an analog input signal using a single quantization bit (fig. 4, title; page 40, right column; page 41, left column); and a multi-bit adapter (the quantizer) for generating a scaling signal for scaling a step-size of the modulator using multiple quantization bits (figs. 4, 5; pages 40, 41, 42).

4. Regarding claim 4, J. Yu et al. discloses an apparatus (figs. 4, 5, 6) , wherein the modulator comprises: a summing junction (the adder) for comparing an analog input signal  $x(n)$  to an encoding signal  $v(n)$  to generate an error signal  $e(n)$  representing a difference between the analog input signal  $x(n)$  and the encoding signal  $v(n)$  (fig. 4, page 41); a filter (the low pass filter) for filtering the error signal  $e(n)$  to generate a signal  $p(n)$  (fig. 4); a quantizer (the quantizer) for converting the signal  $p(n)$  into a binary output signal  $y(n)$  (fig. 4); a multiplier (MDAC shown in fig. 5) for multiplying the analog output signal  $y(n)$  by a scaling signal  $d(n)$  output by the adapter to generate an encoding signal  $v(n)$  (page 42); and a delay for the delaying the encoding signal  $v(n)$  to generate a delayed encoding signal  $v(n-1)$  (fig. 7)[fig. has a number of delays].

5. Regarding claim 5, J. Yu et al. discloses an apparatus (fig. 4) wherein the adapter produces both the scaling signal  $d(n)$ , which is an approximation of the absolute value of the signal  $p(n)$ , and a binary sequence signal  $q(n)$  from which the scaling signal  $d(n)$  can be re-generated (pages 40, 41).

6. Regarding claim 9, J. Yu et al. discloses an apparatus for adaptive demodulation (fig. 4) , comprising: a multi-bit adapter for receiving a binary sequence signal  $q(n)$  from an adapter of an adaptive modulation apparatus and for generating a scaling signal  $d(n)$  in response thereto using multiple quantization bits (the demodulator section in fig. 4 receives the output of the modulator circuit); a multiplier (MDAC in fig. 5) for multiplying a binary output signal  $y(n)$  received from a modulator of the adaptive modulation apparatus by the scaling signal  $d(n)$  to generate an encoding signal  $v(n)$ , wherein the binary output signal  $y(n)$  is generated by the one bit modulator from an analog input

signal  $x(n)$  using a single quantization bit (fig. 5; page 42); and a low-pass filter (lowpass circuit in the demodulator circuit of fig. 4) for receiving the encoding signal  $v(n)$  and for generating a signal  $\{\textcircumflex x\}(n)$ , which is a re-creation of an analog input signal  $x(n)$  to the modulator of the adaptive modulation apparatus (fig. 5; pages 41, 42).

7. Regarding claims 2, 10, J. Yu et al. discloses an apparatus (figs. 4, 5), wherein the adapter includes a companded differential pulse code modulator (DPCM) (figs. 4, 5).

8. Regarding claims 6, 12, J. Yu et al. discloses an apparatus (figs. 4, 5) wherein the adapter is used in an adaptive sigma-delta modulator (figs. 4, 5; title).

9. Regarding claims 7, 13, J. Yu et al. discloses an apparatus (figs. 4, 5) , wherein the adapter is used in an adaptive delta modulator (figs. 4, 5; title).

10. Regarding claims 8, 14, J. Yu et al. discloses an apparatus (figs. 4, 5) wherein the adapter is used as a companded delta modulator (figs. 4, 5; title).

11. Regarding claims 3 and 11, J. Yu et al. discloses an apparatus (figs. 4, 5), wherein the adapter includes a logarithm term block for companding an absolute value of a filtered error signal, the compounded DPCM for modulating an output of the logarithm term block and an exponential term block for expanding an output of the compounded DPCM (page 41, starting at the "logic design of adaptation").

### **Conclusion**

**12. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Jeanglaude whose telephone number is 571-272-1804. The examiner can normally be reached on Monday - Friday 7:30 A. M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rexford Barnie can be reached on 571-272-7492. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jean Bruner Jeanglaude  
Primary Examiner  
March 19, 2007